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PART-IIA

GOVERNMENT OF MEGHALAYA
DISTRICT COUNCIL AFFAIRS DEPARTMENT

NOTIFICATION

The 20th September, 2024.

No.DC/L/VII/5/2012-2024/176/316- In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Amendment Act of the Khasi Hills Autonomous District Council is hereby published for general information:-.

**THE KHASI HILLS AUTONOMOUS DISTRICT (ADMINISTRATION OF ELAKA)
(AMENDMENT) ACT, 2023.**

(Passed by the Khasi Hills Autonomous District Council on the 25th September, 2023)

(Received the assent of the Governor on the 4th October, 2024)

(Published in the Meghalaya Gazette on the 9th October, 2024)

AN

ACT

to further amend the Khasi Hills Autonomous District (Administration of Elaka) Act, 1991.

Be it enacted by the Khasi Hills Autonomous District Council in the Seventy-Fourth Year of the Republic of India as follows:-

1. Short title, Extent and Commencement -

1. This Act may be called The Khasi Hills Autonomous District (Administration of Elaka) (Amendment) Act, 2023.
2. It shall extend to the whole of the Khasi Hills Autonomous District.
3. It shall come into force at once.

2. Amendment of Section 2 :Section 2 of the Principal Act shall be entirely deleted and substituted as follows:-

2. **Definition:** In this Act, unless the context otherwise requires the following expression shall have the meaning hereby respectively assigned to them, that is to say:-
- (a) **"Adong Shnong"** means prohibitory orders as decided and issued by the Dorbar Shnong and erected at vantage points within the jurisdiction of the village for necessary information and compliance of the inhabitants including non residents.
 - (b) **"Certificate"** means a formal document such as residential certificate, character certificate, No objection certificate *etc*, issued by the Headman of a shnong or village which is issued for a specific purpose only and not ambiguous in nature. Any such certificate issued must be recorded in a register to be kept under the custody of the Headman.
 - (c) **"Chief"** means a Syiem, a Lyngdoh, a Sirdar or a Wahadadar as the case may be of any Elaka.
 - (d) **"Committee Dong"** means a Dorbar composing of a Rangbah Dong, with some village Elders elected or nominated by the residents of a Dong or Kyntoit or locality and which members are recognised by the Executive Committee of the Dorbar Shnong.
 - (e) **"Deputy Secretary"** means an officer appointed as such by the Executive Committee.
 - (f) **"District"** means the Khasi Hills Autonomous District.
 - (g) **"Council"** means the Khasi Hills Autonomous District Council constituted under the provisions of the Sixth Schedule to the Constitution of India.
 - (h) **"Dong or Kyntoit"** - means an area of human habitation located within a village and carved out into a subsidiary administrative unit of the Village and such unit is administered by a Rangbah Dong functioning under the authority of the Dorbar Shnong.
 - (i) **"Dorbar Dong"** means a traditional institution of the Dong or Kyntoit composed of adult inhabitants as per the prevailing age-old customary and traditional practices as defined and prescribed as per the Rules made hereunder. Such Dorbar shall be convened at least once a year or as may deemed necessary and is presided over by a Rangbah Dong.
 - (j) **"Dorbar Shnong"** means a traditional village institution of the Shnong or Village composed of adult inhabitants as per the prevailing age-old customary and traditional practices as defined and prescribed as per the Rules made hereunder. Such Dorbar shall be convened at least once a year or as may deemed necessary and is presided over by a Rangbah Shnong or Headman or Sordar Shnong or Myntri Shnong, as the case may be.
 - (k) **"Elaka"** means any administrative unit within the Khasi Hills Autonomous District specified in Schedule I and II or any other Administrative unit to be constituted and declared as such by the Executive Committee.
 - (l) **"Executive Committee"** means the Executive Committee of the Khasi Hills Autonomous District Council.
 - (m) **"Executive Committee of the Dorbar Shnong"** means a Dorbar comprising a Headman, with some village Elders elected or nominated by the Dorbar Shnong and confirmed and formally ratified by the Chief and his Dorbar.
 - (n) **"Gazette"** means the Gazette of Meghalaya.
 - (o) **"Headman"** means a Rangbah Shnong, a Sordar Shnong, a Myntri Shnong who has been nominated or elected by the Dorbar Shnong duly recognised by the Chief and his Dorbar.
 - (p) **"Mediation Committee"** means a committee constituted by the Executive Committee consisting of the Chief Executive Member or Executive Member of the Executive Committee as Chairman, three mediators; all of whom shall be persons of repute and integrity selected by the Executive Committee from the civil society and an officer of the Executive Committee shall be the Member Secretary.
 - (q) **"Prescribed"** means prescribed under this act or by Rules made thereunder.

- (r) **“Rangbah Dong”** means a person who has been nominated or elected by the Dorbar Dong duly recognised by the Executive Committee of the Dorbar Shnong.
- (s) **“Record Shnong”** means a record maintained by the Dorbar Shnong recording details of every household and resident of the village, including details and occupations of residents such as students, employees, labourers etc., as the case may be and these records shall also include the details of the landowners, house-owners, tenants, lessees, business establishments, shops, vendors, factories, educational institutions, business units etc. present within the Shnong or Village and which shall be produced for easy reference.
- (t) **“Rules”** means the rules framed under the provision of this Act.
- (u) **“Sanad”** means a customary appointment Order issued by the Syiem and Dorbar to the duly elected Sordar Shnong as provided under the Act and the Rules framed thereunder.
- (v) **“Schedule”** means a schedule appended to this Act.
- (w) **“Seng Long Kmie or Seng Kynthei”** –means an association of the adult female members of the Shnong or Village that actively participates in the welfare, development, upliftment of women of the Shnong or Village and which association assists the functioning of the Dorbar Shnong as and whenever called for. The association shall comprise of the President, Secretary and members duly recognised by the Dorbar Shnong.
- (x) **“Seng Samla”** – means an association of the youth of the Shnong or Village that actively participates in the welfare, development, upliftment of the youth of the Shnong or Village and which association assists the functioning of the Dorbar Shnong as and whenever called for. The association shall comprise of the President, Secretary and members duly recognised by the Dorbar Shnong.
- (y) **“Social Vigilance Committee”** means a committee constituted by the Executive Committee of the Dorbar Shnong comprising of various office holders of the Executive Dorbar, Seng Longkmie and Seng Samla.
- (z) **“Tribunal”** means a Tribunal constituted by the Executive Committee under this Act not below the rank of a Deputy Secretary.
- (aa) **“Village”** means an area of human habitation having a definite contiguous boundary where a number of houses have been grouped together under one village for administrative purposes and recognised as such by the Elaka under which the village falls and by the Executive Committee.

3. Amendment of Section 4: Section 4 of the Principal Act shall be amended as follows:-

(1) In the first paragraph of Section 4 of the Principal Act, in between the word “Elakas” and the words “the dispute”, the words “or between a village and the Elaka of that village” shall be inserted and also in between the word “the” and “Elaka”, the words “village or” shall be inserted.

(2) In the Second Paragraph of Section 4 of the Principal Act, The word “of Rs.250/- in cash” shall be deleted and substituted by the word “as may be prescribed by the Executive Committee from time to time”.

4. Amendment of Section 5 : Section 5 of the Principal Act shall be amended as follows:-

(1) The word “of Rs.250/- in cash” appearing in the first proviso shall be deleted and substituted by the word “as may be prescribed by the Executive Committee from time to time”.

5. Amendment of Section 6 of the Principal Act: Section 6 of the Principal Act shall be amended as follows:-

After the words “for disposal by the Tribunal” a “full stop (.)” shall be inserted and the words “constituted under sub-sections (1) and (2) above and the decision of the Tribunal shall be final” shall be deleted and the words “an appeal against the order of the Tribunal shall lie before the Executive Committee and its decision shall be final” shall be inserted.

6. Insertion of new Sections: -

After Section 6 in the Principal Act, the following new sections shall be added as follows:-

Section 7: In case of boundary disputes as appeared in Section 4 or 5 of this Act, if both parties agree, the Tribunal or the Executive Committee may refer cases to the Mediation Committee for the purpose of an amicable settlement of the dispute and such settlement shall be reported to the Tribunal or the Executive Committee for decision.

Section 8. A: Roles and Functions of Dorbar Shnong:-

- (1) A Dorbar Shnong shall be recognised by the Chief and his Dorbar, and approved by the Executive Committee;
- (2) A Dorbar Shnong may constitute its Executive Committee of the Dorbar Shnong comprising of the Headman, together with some village Elders with prior approval of the Chief and his Dorbar;
- (3) A Dorbar Shnong shall function as per custom and practices and all orders or decisions or proceedings, including any notice duly authorized by a Dorbar Shnong should bear the seal of a Dorbar Shnong;
- (4) A Dorbar Shnong shall ensure peaceful co-existence among the residents and its neighbours;
- (5) A Dorbar Shnong shall ensure proper custody of all the assets and property of the village such as the Office or ling Dorbar, Lynti Shnong, village land or forests etc;
- (6) Dorbar Shnong shall take necessary steps to preserve all source of water and to ensure proper usage of all natural sources of water, including ground water, and catchment areas for common sustainable use by all the residents. It must also ensure cleanliness and proper disposal of waste by all residents within its jurisdiction;
- (7) Dorbar Shnong shall ensure compliance of all Acts or Rules or Regulations or Orders or Notifications issued by the Council within its jurisdiction and render assistance as deemed necessary;
- (8) Any other functions as may be entrusted by the Chief and his Dorbar and or the Executive Committee from time to time;

- (9) A Dorbar Shnong shall have its own fund or account with proper records of all receipts and expenditure and should be reported before the Dorbar Shnong once in a year or as deemed necessary;
- (10) Any order or notice issued without the decision of a Dorbar Shnong shall be deemed as 'Bein Dorbar' which is highly illegal and shall have no effect;
- (11) It shall be mandatory for the Dorbar Shnong to maintain a record shnong or a register recording details of every household and residents of the village including details and occupations of residents such as students, employees, labourers etc., as the case may be and these records shall also include the details of the landowners, house-owners, tenants, lessees, business establishments, shops, vendors, factories, educational institutions, business units etc. present within the Shnong or Village and which shall be produced for easy reference;
- (12) The Dorbar Shnong shall have the power to approve the constitution of Seng Longkmie, Seng Samla, Sport Club or any other association;
- (13) A Dorbar Shnong may constitute a Social Vigilance Committee comprising of various office holders of the Executive Committee of the Dorbar Shnong, members of the Seng Longkmie and Seng Samla to be headed by any Member of the Executive Committee of the Dorbar Shnong. The Executive Committee of the Dorbar Shnong shall on such Social Vigilance Committee being constituted, send a copy of the members nominated to the Chief and his Dorbar, the Secretary to the Executive Committee, the Superintendent of Police of that particular District and Officer in Charge of the Police Station under which the area lies;
- (14) A Dorbar Shnong shall not in any manner arbitrarily decide or take any action that may cause injury or damage to property or any injustice against any inhabitant or household of the village on the basis of difference of faith and practices or difference of political affiliations;
- (15) A Dorbar Shnong shall uniformly implement the Acts, Rules, Notification and instructions of the Council and their concerned Elaka.

Section 8. B: Duties and Function of the Executive Dorbar Shnong:- The Executive Committee of the Dorbar Shnong shall perform such function and duties as assigned or entrusted by the Dorbar Shnong and it shall see that the existing prevailing customary practices, Act and rules framed thereunder, the rules, regulation, orders and resolutions passed by the Chief and his Dorbar or the Council or the Executive Committee of the Dorbar Shnong are implemented in letter and spirit. It shall be collectively be responsible for carrying the day-to-day affairs on behalf of the Dorbar Shnong and it shall be accountable to the Dorbar Shnong.

Section 8. C: Duties and functions of the Dorbar Dong:-The Dorbar Dong headed by the Rangbah Dong shall assist the Dorbar Shnong in matters pertaining to the administration of the Dong or it can function on any matters related to the welfare of the Dong and or any matters that may be entrusted upon by the Dorbar Shnong. It shall be mandatory for the Dorbar Dong to maintain a register recording details of every household and residents of the dong.

Section 9. A: Roles and Functions of a Sordar Shnong, Rangbah Shnong or Myntri Shnong:-

- (1) An elected Sordar Shnong, Rangbah Shnong or Myntri Shnong should obtain Sanad or Appointment Order from the Chief and his Dorbar before taking charge as a recognized functionary and shall hold office as per the terms and conditions laid down in the Sanad or Appointment Order;
- (2) A Sordar Shnong, Rangbah Shnong or Myntri Shnong shall carry out the decisions of the Dorbar Shnong within his jurisdiction;
- (3) There must be handing and taking over charge of all properties or materials or documents of the Dorbar Shnong in the presence of the elders with a report before the Dorbar Shnong from the outgoing Sordar Shnong, Rangbah Shnong or Myntri Shnong to the newly elected or appointed Sordar Shnong, Rangbah Shnong or Myntri Shnong;
- (4) A Sordar Shnong, Rangbah Shnong or Myntri Shnong may issue a residential certificate and other certificates to the residents for a very specific purpose which cannot be used for other purposes categorically on the basis of the Record Shnong and as defined in the Rules and the same shall be reported to the Executive Committee of the Dorbar Shnong;
- (5) The Dorbar Shnong shall ensure that the Adong Shnong containing the prohibitory orders as decided by the Dorbar and erected at vantage points within its jurisdiction are strictly adhered to by its residents and outsiders as well;
- (6) A Sordar Shnong, Rangbah Shnong or Myntri Shnong cannot take decisions on any matter concerning the village without prior consent or authorization of the Executive Committee of the Dorbar Shnong.

Section 9. B. Roles and Functions of the Seng Longkmie of the Dorbar Shnong:-

- (1) There shall be a Seng Longkmie consisting of the President, Secretary and other members in each Dorbar Shnong nominated or elected by the Longkmie Shnong and approved by the Executive Committee of the Dorbar Shnong.
 - i. They are residents of the particular village;
 - ii. They should promote the women and young girls of the village in organizing upliftment, initiatives and awareness programmes such as protection of women rights, educational innovative, and other activities that will protect and promote women in the village;
 - iii. They should assist the Dorbar Shnong and the Government in tackling crimes and other criminal activities in the village;
 - iv. They should look after the welfare and cleanliness of the village in accordance with the prevailing laws;
 - v. Any other functions as may be entrusted by the Dorbar Shnong.

Section 9. C: Roles and Functions of the Seng Samla of the Dorbar Shnong:-

(1) There shall be a Seng Samla Shnong consisting of the President, Secretary and other members in each Dorbar Shnong nominated or elected by the Samla Shnong and approved by the Executive Committee of the Dorbar Shnong.

- i. They are residents of the particular village;
- ii. They should promote the youths of the village in organizing upliftment programmes or initiatives and awareness such educational innovative, sports activities and other activities that will uplift and promote the youth of the village;
- iii. They should assist the Dorbar Shnong and the Government in tackling crimes and other criminal activities in the village;
- iv. They should look after the welfare and cleanliness of the village in accordance with the prevailing laws;
- v. Any other functions as may be entrusted by the Dorbar Shnong.

Section 9. D: Duties and Functions of the Social Vigilance Committee:- (i) In order to maintain peace and contain the rising criminal activities within the Shnong or Village, the Social Vigilance Committee shall aid and assist the Government in checking and identifying peddlers of narcotics and psychotropic substances within their village.

(ii) The Social Vigilance Committee shall strive to ensure that drug addicts are dealt with empathy and compassion and whenever possible assist them through their families to seek counselling and professional help.

(iii) The members of the Social Vigilance Committee shall work in tandem with, aid and assist the officials of the law enforcement agencies who are involved in protection of citizens and control of law and order and shall on apprehending any person involved in any illegal actions such as sale of illicit liquor, child abuse and domestic violence, human trafficking or any other unlawful activity immediately inform the law enforcement agencies and hand over such person or persons to their custody.

(iv) The Members of the Social Vigilance Committee shall report on any person who is habituated in causing trouble and nuisance within the Village to the Executive Committee of the Dorbar Shnong.

Section 9. E: Roles and Functions of the Rangbah Dong and his Executive members:-

(1) There shall be one Rangbah Dong, not more than three Assistant Rangbah Dong and executive members elected by the members of the respective dong and approved by the Executive Committee of the Dorbar Shnong.

- i. The Rangbah Dong is a male adult of good moral character who commands social respect in a village and the dong;
- ii. The Rangbah Dong and his Executive Members shall look after the welfare of the whole dong and perform duties under the instruction of the Dorbar Shnong;

- iii. The Rangbah Dong and his executive members shall assist the Rangbah Shnong and the Executive Members of the Dorbar Shnong in any matter or matters concerning of his respective dong;
- iv. The Rangbah Dong shall inform and report to the Dorbar Shnong in all matters concerning the dong and also in case of any disputes arises between the inhabitants of the particular dong of the village;
- v. The Rangbah Dong and his Executive Members shall not decide on any matter concerning the dong without the consent or approval of the Dorbar Shnong;
- vi. Any other functions as may be entrusted by the Dorbar Shnong.

Section 10: Delegation of Power:- The Executive Committee may, by order or notification empower two or more of its members to exercise on its behalf any power or powers conferred upon it by this Act or any Act of the Council and anything heard, any act done or order passed by such members of the Executive Committee shall be deemed to have been heard, done or passed by the Executive Committee.

Section 11. Review of Order(s):-

- (1) The Executive Committee may, either on its own motion or on the application of any Party interested, review any Order passed by itself or by any of its predecessors-in-office and or revise any order passed by any authority of the Council acting under this Act and pass such order in reference thereto as it deems necessary.
- (2) No order affecting any question of right between or amongst party(s) shall be reviewed or revised without giving the party(s) likely to be affected an opportunity of being heard.
- (3) No order shall be reviewed at the instance of any party(s) except on the following grounds, viz:-
 - (i) discovery of new and important matter of evidence; or
 - (ii) some mistake or error apparent on the face of the record; or
 - (iii) any other sufficient reason.

Section 12: Power to make Rules:- The Executive Committee may make Rule(s) for the purpose of carrying out the provisions of this Act with the approval of the Governor which shall be notified in the Gazette.

7. Amendment of the First Schedule of the Principal Act:-

The word “Cherra” appearing in serial 3 of the Schedule I shall be omitted and substituted by the word “Sohra”.

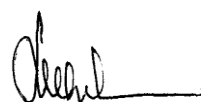
STATEMENT OF OBJECTS AND REASONS

Whereas, it has become expedient to further amend the Khasi Hills Autonomous District (Administration of Elaka) Act, 1991 as amended, hereinafter referred to as the "Principal Act" in the manner herein appearing.

It has been considered necessary to further amend the Khasi Hills Autonomous District (Administration of Elaka) Act, 1991 as amended for smooth and efficient implementation of the Act.

Hence this Amendment ACT

Certified that the above ACT was passed by the Khasi Hills Autonomous District Council in Session on the 25th September, 2023.



LAMPHRANG BLAH
Chairman

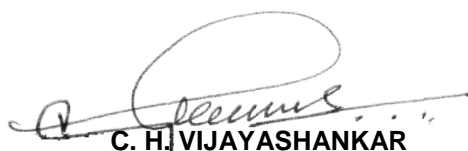
Khasi Hills Autonomous District Council, Shillong.

No. _____

I assent this Bill.

Dated Shillong,

The 4th October, 2024.



C. H. VIJAYASHANKAR

GOVERNOR OF MEGHALAYA



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PART-IIA

GOVERNMENT OF MEGHALAYA
DISTRICT COUNCIL AFFAIRS DEPARTMENT

NOTIFICATION

The 7th August, 2024.

No.DC/L/VII/2/97-2024/180/270- In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Amendment Act of the Khasi Hills Autonomous District Council is hereby published for general information:-.

**THE KHASI HILLS AUTONOMOUS DISTRICT (KHASI SOCIAL CUSTOM OF LINEAGE)
(AMENDMENT) ACT, 2023.**

(Passed by the Khasi Hills Autonomous District Council on the 22nd December, 2023)

(Received the assent of the Governor on the 3rd October, 2024)

(Published in the Meghalaya Gazette on the 9th October, 2024)

AN

ACT

to amend the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997 hereinafter referred to as the 'Principal Act' in the manner herein appearing.

It is hereby enacted by the Khasi Hills Autonomous District Council in the Seventy-Fourth year of the Republic of India as follows:-

1. Short Title, Extent and Commencement:-

- (i) This Act may be called the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) (Amendment) Act, 2023.
- (ii) It shall apply to the whole of Khasi Hills Autonomous District.
- (iii) It shall come into force at once.

2. All words and expressions shall have the same meaning as defined in the Principal Act.

3. Amendment of Section 2 of the Principal Act:-

- (i) In the existing clause (p) of Section 2 the word "with the prefix of "Dkhar" or simply "Khar" to it" appearing in between the words "adopting a jait" and "for the person or persons" shall be deleted.
- (ii) In the existing Section 2, the following new clauses shall be added viz.,
 - (q) **"Clan/Kur Certificate"** means a certificate granted/issued by the Rangbah Kur or an authorized person of respective Clan or Kur under the provision of this Act.
 - (r) **"Dorbar Kur"** means a customary meeting of the respective Khasi Kur comprising of both male and female adults belonging to the Kur/Clan concerned,
 - (s) **"Duh Iing"** means a family having no biological female offspring.
 - (t) **"Infant"** means a person below the age of 3 (three) years old.
 - (u) **"Khasi Custom of Lineage"** means a customary practice by which any Khasi person takes his or her clan from the mother and followed the matrilineal system of lineage.
 - (v) **"Kpoh"** means the family members of a common biological mother.
 - (w) **"Kur or Clan"** means living entity of Khasi Clan governed by the Khasi matrilineal system of lineage, customs, traditions and inheritance.
 - (x) **"Rangbah Kur"** means a Khasi clan elder elected/selected/nominated by Dorbar Kur or Seng Kur and approved by the Executive Committee.
 - (y) **"Registrar of Dorbar Kur or Seng Kur"** means such Registrar of Dorbar Kur or Seng Kur as the Executive Committee, shall notify for the purpose of exercising all or any of the powers, duties or functions under this Act and the rules made thereunder for the whole or any part, of the district as may be specified in the notification,
 - (z) **"Ring Bia or Shaw Rhoi"** means the customary practices prevailing among certain indigenous Khasi Clan in Ri-Bhoi District, where in the case of duh iing, the Khasi male member of such family may marry a non Khasi and his offspring may adopt his clan or title with the consent of the kpoh concerned and duly recommended by the Kur and they may be deemed to be a Khasi if they fulfill the conditions of being a Khasi.
 - (aa) **"Sengkur"** means a body or organisation of clan members created for the purpose of maintaining the bond of consanguinity among clan members and any matter relating to clan or Kur welfare.
 - (ab) **"Tribunal"** means a tribunal constituted by the Executive Committee for the purpose of adjudication of appeals and claims by any aggrieved person.

4. Amendment of Section 6 of the Principal Act:-

In Section 6 after (d) add the following-

- (e) In case of a person adopting the jait of the father under the customary practice of "Ring Bia or Shaw Bhoi". by the father or his offspring(s)

5. After Section 12 of the Principal Act, the following Sections shall be inserted:-**13. (1) Registrar of Dorbar Kur or Seng Kur:-**

- (a) The Executive Committee shall appoint an Officer of the Khasi Hills Autonomous District Council not below the rank of Deputy Secretary as the Registrar of Dorbar Kur or Seng Kur.
- (b) The Registrar of Dorbar Kur or Seng Kur shall be an office of record of the various Kur and their members.

(2) Registration of Dorbar Kur or Seng Kur:-

- (a) Every Dorbar Kur or Seng Kur shall register before the Office of the Registrar as prescribed by Rules framed under this Act.
- (b) The Registrar of Dorbar Kur or Seng Kur shall issue a certificate of recognition to the Dorbar Kur or Seng Kur after following the due procedure prescribed in the Rules.

- (c) the Registrar of Dorbar Kur or Seng Kur shall by public notification notify the recognized Dorbar Kur or Seng Kur.
- (d) The Registrar of Dorbar Kur or Seng Kur shall prepare and cause to be published the list of all the recognized Dorbar Kur or Seng Kur as per the true, actual and correct name of the Dorbar Kur or Seng Kur in the Gazette of Meghalaya.
- (e) The Registrar shall approve the powers of Rangbah Kur and functionaries elected or nominated by the Dorbar Kur or Seng Kur and notified accordingly after every reconstitution.
- (f) Any other related matter.

14. Dorbar Kur or Seng Kur:- Every Kur shall have a Dorbar Kur or Seng Kur consisting of all members of the Kur or Clan. The Dorbar Kur or Seng Kur shall consist of the Dorbar Pyllun of all members of that Km or Clan and the Central Body made up of office bearers and members duly elected by the Dorbar Kur or Seng Kur.

15. Powers and Functions of the Dorbar Kur or Seng Kur:-

- (i) The Dorbar Kur or Seng Kur shall be the final Authority to decide on any issue or matter relating to the Kur Administration as a whole.
- (ii) The Dorbar Kur or Seng Kur shall have the power to frame or make bye laws or Kur Constitution and such bye laws or Kur Constitution shall have the force of law only after the approval of the Registrar General of Seng Kur, which shall include any amendment made from time to time by the Dorbar Kur/Seng Kur.
- (iii) The Dorbar Kur or Seng Kur shall have the Authority to delegate the power to issue Khasi Clan Certificate, which shall be the criteria for granting Khasi Tribe Certificate as per Section 6 of KHAD (Khasi Social Custom of Lineage) Act, 1997.
- (iv) The Dorbar Kur or Seng Kur shall be the Office of record of all the members of the Kur.
- (v) The Dorbar Kur or Seng Kur shall be the final arbiter in case of disputes amongst the members of that particular Kur. It shall arbitrate on matters of -
 - (a) Appeal against the decision of the Rangbah Kur.
 - (b) Any question arising as to the inheritance of property of the Kpoh and questions of disputes of the different Kpoh.
 - (c) Adoption of children by the members of different Kpoh.
 - (d) Tangjait of a non Khasi Woman married to a Khasi Male who is a member of that Kur.
 - (e) Recognizing a Rap iing chosen for a Kpoh that has no female issue.
 - (f) Dispute regarding Ting Kur and Teh Kur.
 - (g) Any other matter relating to the rights and privileges of the Kur or Kpoh Kur
- (vi) The Dorbar Kur or Seng Kur shall have its own fund from donation subscription, fees from any members of the Kur for the fund of the Kur.
- (vii) The Dorbar Kur or Seng Kur shall have the power to receive any fund or financial assistance or any other assistance from the Khasi Hills Autonomous District Council, Government, Chiefs, Headmen, etc.
- (viii) The Dorbar Kur or Seng Kur shall meet at least once a year or as and when required. The Secretary of the Kur shall call for the meeting and the Rangbah Kur shall preside over this meeting.
- (ix) The Dorbar Kur or Seng Kur shall have the right and power to seek for a general report, financial report, audit report and other reports and queries from the Central Body.

16. Eligibility for appointment as Rangbah Kur and other functionaries - The Dorbar Kur/Seng Kur shall decide the eligibility for appointment of Rangbah Kur and other functionaries. Provided that no person who does not follow the matrilineal system or the Khasi Custom of Lineage shall be appointed as the Rangbah Kur or any other functionaries.

17. Duty and Function of the Rangbah Kur and other functionaries:- The Rangbah Kur is the representative head of the Kur. He and other functionaries of the Kur shall exercise their powers and functions as may be delegated by the Dorbar Kur/Seng kur, and the Central Body of the Dorbar Kur/Seng Kur in accordance with the prevailing customary practices and the provisions of this Act.

18. Khasi Clan Certificate:-

- (i) Any member of the Kur by himself/herself or by his/her natural parent/legal guardian or by his/her family members shall whenever necessary apply for a Clan Certificate in a form as prescribed by the Registrar of Seng Kur.
- (ii) The Rangbah Kur or any person authorized as the Competent Authority by the Dorbar Kur or Seng Kur after due verification by the Executive body of the kur shall issue the Clan Certificate to such Clan member clearly mentioning his or her name, both his or her parents' name and the place of residence apart from such other consideration or factor or information as may be deemed fit and necessary.
- (iii) The said Certificate shall be issued within a period of seven days from the date of receiving the application and on payment of a fee prescribed by the Registrar of Seng Kur from time to time.
- (iv) The Rangbah Kur or any person issuing Clan Certificate shall keep an office copy and one copy shall be submitted to the Registrar of Seng Kur or Regional Registrar of Seng Kur for information, record and necessary action.
- (v) The Rangbah Kur or any authorized person of the Dorbar Kur or Seng Kur shall have the power not to grant Khasi Clan Certificate to any applicant if in his or her opinion the applicant does not fulfill the criteria and condition of being a Khasi.

19. Tribunal on Khasi Clan Administration:-

There shall be a Tribunal on Khasi Clan Administration to determine all questions of the Khasi Clan system

- (1) It shall comprise of a Chairman not below the rank of a Magistrate 1st Class of the District Council Courts and three other members. Provided that two such members shall be experts in knowledge of the prevailing Khasi Social Custom and/or law and one other member shall be an Advocate of at least 10 years of practice at Bar respectively.

(2) The Executive Committee shall frame Rules for conduct of business by the Tribunal.

20. Powers of the Tribunal on Khasi Clan Administration:-

- (1) The Tribunal while making inquiries under this Act shall have all the powers of a Civil Court and Criminal Court as provided in the United Khasi-Jaintia Hills District (Administration of Justice) Rules, 1953 in respect of the following matters, namely:

- (i) Summoning and enforcing the attendance of any person and examination of that person under oath.
- (ii) Requiring the discovery and production of any document and,
- (iii) Any other matter which may be prescribed.

- (2) The decision of the Tribunal under this Act shall have the force of a decree of the Civil Court in the Civil aspects of any appeal, decision on Khasi Social Custom of Kur and Reference made to it.

- (3) The Tribunal in its sitting shall be the Authority on Khasi Social Custom relating to Khasi Clans according to the prevailing customs and traditional practices. It shall also act as a Court of Reference in these matters.

- (4) The Tribunal shall also have powers of revision and review of its own decision.

- (5) The Tribunal may also take *Suo Moto* cognizance of any violation of this Act with prior approval of the Executive Committee.

21. A. Appeal to the Tribunal on Khasi Clan Administration:-

- (i) Any person or party aggrieved over the order of the Dorbar Kur or Seng Kur, reserves the right to appeal before the Tribunal within 30 (thirty) days from the date of such order.
The Dorbar Kur or Seng Kur, shall however within 10 (ten) days from the date of such orders passed, provide a copy of such order to the party concerned.
- (ii) The Tribunal may condone and admit an appeal after the expiry of such period of 30 days if it is satisfied that the Appellant was prevented by sufficient cause from filing the appeal in time.
- (iii) An appeal under this Section may be filed by the person aggrieved by such order or by any other person, Chiefs, Headmen and Dorbar Shnong or any Authority, body or association on ground of injury suffered, prejudicial to the Khasi Social Customs.
- (iv) An appeal under this Section shall be made in such form or manner and on payment of such fee(s) as prescribed by the Executive Committee from time to time.
- (v) The order or decision of the Tribunal in appeal under this Section shall be final and binding.

B. Reference to the Tribunal on Khasi Clan Administration:-

- (i) In the event of the Executive Committee, or any Court of Competent, jurisdiction, requires that a question of prevailing customary law relating to the Khasi Social Custom of Kur is to be determined, the said question may be made for determination by the tribunal by means of Reference to it.
- (ii) The Tribunal shall determine such questions and seek opinion or evidence as may be required to arrive at a finding as empowered in Section 18 of this Act.
- (iii) The determination of the Tribunal of such question in reference shall be rendered as a judgment of a Civil Court and shall be binding unless reversed or otherwise modified by a process of review by the Tribunal.
- (iv) The decision of the Tribunal of such question(s) once rendered as a judgment shall be final and binding on the parties, authority or Court making the reference.

22. Violation of the provision(s) of this Act:-

Any deliberate or willful violation of any provision of this Act shall be proceeded with accordingly as per law

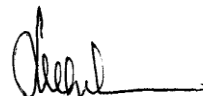
- 6. Section 13 of the Principal Act shall be re-numbered as Section 23 and subsequent Sections shall be re-numbered accordingly.**

STATEMENT OF OBJECT AND REASONS

Whereas it has become necessary to further strengthen the Khasi Social Customs of Lineage by way of codification of Khasi Customary Laws for effective implementation of the **Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997**.

Hence this Amendment ACT

Certified that the above Amendment ACT was passed by the Khasi Hills Autonomous District Council in Session on the 22nd December, 2023.



LAMPHRANG BLAH
Chairman

Khasi Hills Autonomous District Council, Shillong.

No. _____

I assent this Amendment Bill.

Dated Shillong,

The 3rd October, 2024.



C. H. VIJAYASHANKAR

GOVERNOR OF MEGHALAYA